

REMARKS

The application has been reviewed in light of the Office Action dated November 29, 2006. Claims 1, 3 and 5-18 are pending in this application, with claim 1 being in independent form. By the present Amendment, claims 1, 3 and 5-17 have been amended and claims 2 and 4 have been canceled without prejudice. It is submitted that no new matter has been added and no new issues have been raised by the present Amendment.

The title was objected to for a formal matter. In response, the title has been amended to correct the informality noted in the Office Action. Withdrawal of the objection to the title is respectfully requested.

The claims were objected to for various informalities. The claims have been carefully reviewed and amended to attend to these formal matters. Withdrawal of the objection to the claims is respectfully requested.

Claims 2, 7, 13, 14 and 17 were rejected under 35 U.S.C. 112, second paragraph, as allegedly indefinite. In response, the claims have been carefully reviewed and amended with particular attention to the points raised in the Office Action. Applicant points out that in claim 14, the term “adjuvants” finds antecedent support in claim 13.

Claims 1-3, 6 and 9 were rejected under 35 U.S.C. 102(b) as allegedly anticipated by or alternatively under 35 U.S.C. 103(a) as allegedly obvious from DE 195039710 to Scholl. Claims 1, 3 and 6 were rejected for nonstatutory obviousness-type double patenting as allegedly obvious from claims 1 and 3 of U.S. Patent 6,701,664.

Applicant thanks the Examiner for the indication that claims 4, 5, 7, 8, 10-12 and 15-18 contain allowable subject matter. Without conceding the propriety of the art rejections, independent claim 1 has been amended to include the limitations from dependent claim 4 which were indicated as allowable.

Accordingly, in view of the above amendments and remarks, it is believed that the present application is now in condition for allowance.

Prompt reconsideration and allowance of the present application are respectfully requested.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,



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